

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority adopted and filed in the Suffolk County Registry of Deeds, Book 8072 page 276, an Order of Taking dated September 15, 1966, concerning and describing the South Cove Urban Renewal Area, all of the findings, determinations and descriptions set forth therein being incorporated herein by reference and made a part hereof; and

WHEREAS, the Redevelopment Authority in accordance with the provisions of Section 26P, subparagraph (b), of said Housing Authority Law has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by General Laws (Ter. Ed.) Chapter 79, section 40.

NOW, THEREFORE, BE IT ORDERED that the Boston Redevelopment Authority, acting under the provisions of the Housing Authority Law and without limiting the generality of the foregoing, of Section 26P, of General Laws (Ter. Ed.) Chapter 121, and all other authority thereunto enabling, and pursuant to the applicable provisions of General Laws (Ter. Ed.) Chapter 79, and of any and every power and authority to it, granted or implied hereby takes for itself in fee simple by eminent domain for the purposes hereinbefore set forth or referred to, the area or areas located in the City of Boston as hereinafter described in "Annex A" together with any and all easements and rights appurtenant hereto, including the trees, buildings, and other structures standing upon or affixed thereto, and including the fee, if any, in all public streets, highways and public

ways in said area or areas or contiguous and adjacent to the property taken hereby, provided such fee is a part of said property, except any and all easements of travel in and to any and all public streets, highways and public ways in said area or areas or contiguous and adjacent thereto.

AND FURTHER ORDERED that in accordance with the provisions of the General Laws, Chapter 79, Section 6, as amended, awards are by the Boston Redevelopment Authority for damages sustained by the owner or owners and all other persons including all mortgagees of record having any and all interest in each parcel described in "Annex A" and entitled to any damages by reason of the taking hereby made. The Boston Redevelopment Authority reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown. The awards hereby made are set forth in "Annex B" which Annex B is not to be recorded in the Registry of Deeds with this Order of Taking.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority cause this instrument of Taking to be recorded in the office of the Suffolk County Registry of Deeds.

IN WITNESS WHEREOF, we, the following members of the Boston Redevelopment Authority have caused the corporate seal of the Authority to be hereto affixed and these presents to be signed in the name and behalf of the Boston Redevelopment Authority.

DATED:

BOSTON REDEVELOPMENT AUTHORITY

BY:

Frank J. Flynn
Melvin J. Massucco
James G. Colbest
Patrick Breen Jr.
George Cander

ATTEST:

Karen L. Simonian
Secretary of the Boston Redevelopment Authority

ANNEX A

BOSTON REDEVELOPMENT AUTHORITY

SOUTH COVE URBAN RENEWAL AREA

TAKING AREA DESCRIPTION

The following parcels of land are the only parcels taken by this Order of Taking:

<u>Plan</u>	<u>Address</u>	<u>BRA Block/ Parcel</u>	<u>Supposed Owner</u>
LB of 5	Broadway and Shawmut Streets, 200-210 Stuart Street	9-1	William J. Fitzgerald and Ann P. B. Fitzgerald, Trustees of Fitzgerald Investment Trust & Broadway Realty Trust
LB of 5	3 Piedmont Street, 4-6 Shawmut Street, 57, 67, 69, 71 Broadway	19-1	Robert A. Curley and Arthur Taylor, Trustees under the will of Rosa Kesseler
LE of 5	8 Pine Street	49-14	Rufus F. Dawes Hotel Association

The names of the owners herein listed as supposed owners, although supposed to be correct, are such only as a matter of information, opinion and belief and are listed for informational purposes only.

REGISTERED LAND WITHIN TAKING AREA

There is included within the above parcels the following parcels of Registered Land:

Address:	Broadway and Shawmut Streets, Boston
Certificate No.:	78296, Suffolk Land Registration Book 387, Page 96
Owner:	William J. Fitzgerald and Ann P. B. Fitzgerald, Trustees of the Broadway Realty Trust
Address:	Piedmont Street, Boston
Certificate No.:	53735, Suffolk Land Registration Book 264, Page 135
Owner:	Rosa C. E. Kesseler
Address:	Broadway, Boston
Certificate No.:	25343, Suffolk Land Registration Book 122, Page 143
Owner:	Rosa C. E. Kesseler

NOTE: 1) Plans Nos. 1-A, 1-B, 1-C, 1-D and 1-E of 5 are recorded at Suffolk Registry of Deeds, Book 8094, Page 639.

ANNEX B

BOSTON REDEVELOPMENT AUTHORITY

SOUTH COVE URBAN RENEWAL AREA

AWARD OF DAMAGES

Awards for Order of Taking dated are as follows:

<u>Block-Parcel</u>	<u>Street Address</u>	<u>Damages Awarded</u>
9-1	Broadway and Shawmut Streets, 200-210 Stuart Street	\$196,000.00
19-1	3 Piedmont Street, 4-6 Shawmut Street, 57, 67, 69, 71 Broadway	60,000.00
49-14	8 Pine Street	250,000.00

10-1	1000' above	820' below
10-2	1000' above bottom of slope 100' off of surface material	820' below
10-3	1000' above bottom of slope 100' off of surface material	820' below
10-4	1000' above bottom of slope 100' off of surface material	820' below

Bottom of slope of bottom surface 820' below

Layer of surface

Bottom of slope of bottom surface
at 820' below bottom of slope